

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA

MICHAEL WESLEY RUSSELL,

Plaintiff

v.

Civ. Action No. 3:13cv99

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

**REPORT AND RECOMMENDATION**

On September 3, 2013, this Court received a document from Michael Wesley Russell that appeared to be a request for judicial review of an adverse decision of the Commissioner of Social Security, and the Court filed it as such. However, Michael Wesley Russell actually sent the document to the Clerk to indicate his disabilities in order to be excused from jury duty. Accordingly, the undersigned **RECOMMENDS** that this action be **DISMISSED**.

Any party may, within fourteen (14) days of receipt of this recommendation, file with the Clerk of the Court written objections identifying the portions of the recommendation objected to, and the basis for those objections. A copy of the objections should also be submitted to the District Judge of record. Failure to timely object to the recommendation will result in a waiver of the right to appeal.

The Clerk of the Court is directed to send a copy of this report to the *pro se* plaintiff by certified mail, return receipt requested, and all other counsel of record as applicable.

DATED: September 9, 2013

/s/ James E. Seibert  
JAMES E. SEIBERT  
UNITED STATES MAGISTRATE JUDGE